

work, including volunteer work, with an organization that affects interstate or foreign commerce, such as an international charity.

(9) Federal law does not require that an abuser's intention to engage in sexual abuse be a primary, significant, dominant, or motivating purpose of the travel.

(10) Child sexual abuse does not require physical contact between the abuser and the child. This is especially true as perpetrators turn increasingly to internet platforms, online chat rooms, and webcams to commit child sexual abuse.

(11) However, a decision of the United States Court of Appeals for the Seventh Circuit found the use of a webcam to engage in sexually provocative activity with a minor did not qualify as "sexual activity".

(12) Congress can address this issue by amending the definition of the term "sexual activity" to clarify that it does not require interpersonal, physical contact.

(13) It is the duty of Congress to provide clearer guidance to ensure that those who commit crimes against children are prosecuted to the fullest extent of the law.

SEC. 3. INTERSTATE CHILD SEXUAL ABUSE.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking "with a motivating purpose of engaging in any illicit sexual conduct with another person" and inserting "with intent to engage in any illicit sexual conduct with another person";

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (i), respectively;

(3) in subsection (e), as so redesignated, by striking "with a motivating purpose of engaging in any illicit sexual conduct" and inserting "with intent to engage in any illicit sexual conduct"; and

(4) by inserting after subsection (g), as so redesignated, the following:

"(h) **RULE OF CONSTRUCTION.**—As used in this section, the term 'intent' shall be construed as any intention to engage in illicit sexual conduct at the time of the travel."

SEC. 4. ABUSE UNDER THE GUISE OF CHARITY.

Section 2423 of title 18, United States Code, as amended by section 3 of this Act, is amended—

(1) by inserting after subsection (c) the following:

"(d) **ILLICIT SEXUAL CONDUCT IN CONNECTION WITH CERTAIN ORGANIZATIONS.**—Any citizen of the United States or alien admitted for permanent residence who—

"(1) is an officer, director, employee, or agent of an organization that affects interstate or foreign commerce;

"(2) makes use of the mails or any means or instrumentality of interstate or foreign commerce through the connection or affiliation of the person with such organization; and

"(3) commits an act in furtherance of illicit sexual conduct through the connection or affiliation of the person with such organization, shall be fined under this title, imprisoned for not more than 30 years, or both."

(2) in subsection (f), as so redesignated, by striking "or (d)" and inserting "(d), or (e)"; and

(3) in subsection (i), as so redesignated, by striking "(f)(2)" and inserting "(g)(2)".

SEC. 5. SEXUAL ACTIVITY WITH MINORS.

Section 2427 of title 18, United States Code, is amended by inserting "does not require interpersonal physical contact, and" before "includes".

SA 6550. Mr. KELLY (for Mr. TESTER) proposed an amendment to the bill S. 3388, to amend title 38, United States Code, to improve benefits administered

by the Secretary of Veterans Affairs, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Veterans Benefits Improvement Act of 2021".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—BOARD OF VETERANS' APPEALS MATTERS

Sec. 101. Board of Veterans' Appeals internship program.

Sec. 102. Pilot program on establishment of Board of Veterans' Appeals honors program.

Sec. 103. Report on improving access to Board of Veterans' Appeals telehearings.

TITLE II—MEDICAL DISABILITY EXAM MATTERS

Sec. 201. Improving requirement to publish disability benefit questionnaire forms of Department of Veterans Affairs.

Sec. 202. Report on improving medical disability examinations for veterans who live abroad.

Sec. 203. Department of Veterans Affairs requirement for communication by contractors providing covered medical disability examinations with persons recognized by power of attorney for preparation, presentation, and prosecution of claims.

Sec. 204. Department of Veterans Affairs outreach regarding contact information for contractors providing covered medical disability examinations.

TITLE III—OTHER MATTERS

Sec. 301. Report on supporting governmental veterans service officers.

Sec. 302. Facilitating Department of Veterans Affairs contractor access to federal tax return information necessary for claims processing.

SEC. 2. DEFINITIONS.

In this Act:

(1) **CLAIMANT.**—The term "claimant" has the meaning given that term in section 5100 of title 38, United States Code.

(2) **DEPARTMENT.**—The term "Department" means the Department of Veterans Affairs.

(3) **SECRETARY.**—The term "Secretary" means the Secretary of Veterans Affairs.

TITLE I—BOARD OF VETERANS' APPEALS MATTERS

SEC. 101. BOARD OF VETERANS' APPEALS INTERNSHIP PROGRAM.

(a) **IN GENERAL.**—Chapter 71 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 7114. Internship program

"The Secretary shall establish a competitive internship program within the Department for the purpose of providing an opportunity for high-achieving students at law schools accredited by the American Bar Association to gain experience with the Board."

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 71 of such title is amended by adding at the end the following new item:

"7114. Internship program."

(c) **DEADLINE.**—The Secretary shall establish the internship program required by section 7114 of such title, as added by subsection

(a), not later than one year after the date of the enactment of this Act.

SEC. 102. PILOT PROGRAM ON ESTABLISHMENT OF BOARD OF VETERANS' APPEALS HONORS PROGRAM.

(a) **ESTABLISHMENT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall establish a pilot program to assess the feasibility and advisability of establishing a competitive honors program within the Department for the purpose of recruiting high-achieving law school students, recent law school graduates, and entry-level attorneys for employment with the Board.

(b) **DURATION.**—The Secretary shall carry out the pilot program required by subsection (a) during the nine-year period beginning on the date of the establishment of the pilot program.

(c) HONORS PROGRAM.—

(1) **IN GENERAL.**—Under the pilot program required by subsection (a), the Secretary shall carry out a competitive honors program as described in such subsection.

(2) **PRIORITY CONSIDERATION.**—The Secretary shall give priority consideration in application for the honors program to individuals who successfully complete the internship program established under section 7114 of title 38, United States Code, as added by section 101(a).

(3) STUDENT LOAN REPAYMENT BENEFITS.—

(A) **IN GENERAL.**—The Secretary shall provide student loan repayment benefits under section 5379 of title 5, United States Code, to each participant in the pilot program who is eligible for student loan repayment benefits under such section.

(B) **AGREEMENTS.**—The Secretary shall enter into an agreement with each participant in the pilot program who will receive benefits described in subparagraph (A), in accordance with such section.

(C) **COMMITMENT.**—An agreement described in subparagraph (B) shall include a requirement that the participant will remain in the service of the Department for a period of not less than three years, unless involuntarily separated, in accordance with subsection (c) of such section.

(4) PROFESSIONAL DEVELOPMENT ACTIVITIES.—

(A) **ASSIGNMENT OF MENTORS.**—Not later than 90 days after the date on which an individual begins participating in the pilot program required by subsection (a), the Secretary shall assign the participant a mentor who is a managerial employee of the Department outside the participant's chain of command.

(B) **ASSIGNMENTS TO OFFICE OF GENERAL COUNSEL.**—

(i) **IN GENERAL.**—The Secretary shall provide each participant in the pilot program at least one assignment within the Office of General Counsel of the Department that includes full-time legal responsibilities in order to further the professional development of the participant.

(ii) **PERIOD OF ASSIGNMENT.**—An assignment provided under clause (i) shall be for a period of not less than 120 days and not more than 180 days, or longer at the discretion of the Secretary.

(C) OTHER ROTATIONAL ASSIGNMENTS.—

(i) **IN GENERAL.**—The Secretary may provide a participant in the pilot program one or more other short-term rotational assignments.

(ii) **PERIOD OF ASSIGNMENT.**—An assignment provided under clause (i) shall be for a period of not less than 30 days and not more than 180 days, at the discretion of the Secretary.

(d) PERIODIC REPORTS.—

(1) **REPORTS REQUIRED.**—Not later than three years after the date on which the Secretary first accepts a participant into the

honors program carried out under subsection (c)(1) and not less frequently than once every three years thereafter for the duration of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the findings of the Secretary with respect to the pilot program.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include the following:

(A) The findings of the Secretary with respect to the feasibility and advisability of establishing a competitive honors program as described in subsection (a).

(B) Such recommendations as the Secretary may have for legislative or administrative action to improve recruitment and retention of staff at the Board of Veterans' Appeals.

SEC. 103. REPORT ON IMPROVING ACCESS TO BOARD OF VETERANS' APPEALS TELEHEARINGS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on improving access to hearings before the Board of Veterans' Appeals held by picture and voice transmission.

(b) **CONTENTS.**—The report required by subsection (a) shall include the following:

(1) Recommendations on the feasibility and advisability of reimbursing veterans for expenses incurred for travel from the home of a veteran to the location at which a hearing before the Board of Veterans' Appeals is held by picture and voice transmission, if the Secretary determines that travel to such location is reasonably necessary for such a hearing;

(2) Recommendations on establishment of pilot programs to assess the feasibility and advisability of using other methods that could improve veteran access to hearings before the Board of Veterans' Appeals held by picture and voice transmission from a veteran's home.

(3) Such other recommendations to improve access to hearings before the Board of Veterans' Appeals held by picture and voice transmission as the Secretary may receive from stakeholders.

TITLE II—MEDICAL DISABILITY EXAM MATTERS

SEC. 201. IMPROVING REQUIREMENT TO PUBLISH DISABILITY BENEFIT QUESTIONNAIRE FORMS OF DEPARTMENT OF VETERANS AFFAIRS.

Section 5101(d) of title 38, United States Code, is amended—

(1) in paragraph (1)(A), by striking “; and” and inserting “, including (except as provided in paragraph (4)(A))—

“(i) all disability benefit questionnaire forms available to personnel of the Veterans Health Administration and contracted personnel for the completion of compensation and pension examinations; and

“(ii) all factsheets available to such personnel to inform completion of such examinations; and”;

(2) by adding at the end the following new paragraph:

“(4)(A) The Secretary may exclude from publication under clauses (i) and (ii) of paragraph (1)(A) any form described in subparagraph (B) of this paragraph that the Secretary determines could not reasonably be completed to a clinically acceptable standard by someone not an employee or a contractor of the Department.

“(B) A form described in this subparagraph is a form that—

“(i) was in effect after January 1, 2020; and

“(ii) has not been published under paragraph (1).

“(C) For each form excluded under subparagraph (A), the Secretary shall—

“(i) list the form on the same internet website as the forms published under paragraph (1)(A) with an indication that the form has been excluded; and

“(ii) provide with such listing a justification for such exclusion.”.

SEC. 202. REPORT ON IMPROVING MEDICAL DISABILITY EXAMINATIONS FOR VETERANS WHO LIVE ABROAD.

Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the efforts of the Secretary to provide reimbursement for a veteran's travel to a Department facility or a facility of a Department-contracted provider, regardless of whether the facility is inside or outside the United States, when such travel is incident to a scheduled compensation and pension examination.

SEC. 203. DEPARTMENT OF VETERANS AFFAIRS REQUIREMENT BY CONTRACTORS PROVIDING COVERED MEDICAL DISABILITY EXAMINATIONS WITH PERSONS RECOGNIZED BY POWER OF ATTORNEY FOR PREPARATION, PRESENTATION, AND PROSECUTION OF CLAIMS.

(a) **IN GENERAL.**—In each contract entered into by the Secretary after the date of the enactment of this Act for the provision by a contractor of a covered medical disability examination, the Secretary shall include a requirement that every communication from a contractor to a veteran regarding the scheduling of a covered medical disability examination be contemporaneously transmitted to the person recognized by a power of attorney executed under sections 5902, 5903, and 5904 of title 38, United States Code, for the preparation, presentation, and prosecution of claims.

(b) **DEFINITION.**—In this section, the term “covered medical disability examination” means a medical examination that the Secretary determines necessary for the purposes of adjudicating a benefit under chapter 11 or 15 of title 38, United States Code.

SEC. 204. DEPARTMENT OF VETERANS AFFAIRS OUTREACH REGARDING CONTACT INFORMATION FOR CONTRACTORS PROVIDING COVERED MEDICAL DISABILITY EXAMINATIONS.

Not later than 120 days after the date of enactment of this Act, the Secretary of Veterans Affairs shall, in partnership with veterans service organizations and such other stakeholders as the Secretary considers relevant and appropriate, implement an informative outreach program for veterans regarding the following:

(1) Contact information for contractors providing covered medical disability examinations, including the telephone numbers from which such contractors may contact veterans.

(2) The requirement for veterans to provide personally identifiable information when contacted by such contractors in order to verify their identity.

TITLE III—OTHER MATTERS

SEC. 301. REPORT ON SUPPORTING GOVERNMENTAL VETERANS SERVICE OFFICERS.

(a) **REPORT.**—Not later than one year after the date of the enactment of this Act and after consulting veterans service organizations and such other stakeholders as the Secretary considers relevant and appropriate, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the

Committee on Veterans' Affairs of the House of Representatives a report on improving the support by the Department of Veterans Affairs of governmental veterans service officers.

(b) **ELEMENTS.**—The report submitted under subsection (a) shall include the following:

(1) **ENHANCED ACCESS TO SYSTEMS.**—An assessment of the feasibility and current technical limitations of providing governmental veterans service officers enhanced access to certain Department systems to better serve veterans those governmental service officers may not have authorization to represent.

(2) **INTERGOVERNMENTAL LIAISONS.**—An assessment as to whether the Department would benefit from the establishment or designation of an office or working group within the Department to serve as an intergovernmental liaison between the Department and governmental veterans service officers.

(3) **OTHER.**—Any other recommendations to improve how the Department monitors, coordinates with, or provides support to governmental veterans service officers.

(c) **DEFINITIONS.**—In this section:

(1) **GOVERNMENTAL VETERANS SERVICE OFFICER.**—The term “governmental veterans service officer” means an employee of a State, county, municipal, or Tribal government—

(A) who is accredited by at least one veterans service organization to serve as a veterans service officer; and

(B) whose primary responsibilities include working as such an officer.

(2) **VETERANS SERVICE ORGANIZATION.**—The term “veterans service organization” means an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 302. FACILITATING DEPARTMENT OF VETERANS AFFAIRS CONTRACTOR ACCESS TO FEDERAL TAX RETURN INFORMATION NECESSARY FOR CLAIMS PROCESSING.

(a) **IN GENERAL.**—Section 6103(1)(7) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) REDISCLOSURES.—

“(i) **IN GENERAL.**—Officers and employees of the Department of Veterans Affairs who are specifically designated by the Secretary of Veterans Affairs may redisclose return information described in subparagraphs (A) and (B) to contractors of such Department administering (or assisting in administering) a program listed in subparagraph (D)(viii).

“(ii) **RESTRICTIONS ON USE OF INFORMATION.**—Information disclosed under this subparagraph shall be disclosed only for purposes of, and to the extent necessary in, determining eligibility for, or the correct amount of, benefits under a program listed in subparagraph (D)(viii).”.

(b) **CONFORMING AMENDMENT.**—Section 6103(a)(3) of such Code is amended by inserting “(7)(E),” after “(6),”.

(c) **SAFEGUARDS.**—Section 6103(p)(4) of such Code is amended by striking “subsection (1)(10)” each place it appears and inserting “subsection (1)(7), (10)”.

SA 6551. Mr. KELLY (for Mr. BARASSO (for himself and Ms. SMITH)) proposed an amendment to the bill S. 4978, to amend the Public Health Service Act to reauthorize the State offices of rural health program; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “State Offices of Rural Health Program Reauthorization Act of 2022”.